

MINUTES

P&Z COMMISSION HEARING

2/18/2021

ATTENDANCE

P & Z Commissioners

ATTENDED

1. Chuck Howe
2. Ruth Ann Smith
3. Wendell DeCross
4. George John
5. Nick McVicker
6. Randy Murph

ABSENT

1. Chuck Teetsel
2. Rodger Rhoades

STAFF ATTENDANCE

1. Berrin Nejad
2. Cody Cooper
3. John Osgood
4. Bill Bess
5. Kristyn Saunders

Meeting held online through Zoom.us, from: 6:03 PM to 7:58 PM

Chairman Howe called the meeting of the Navajo County Planning & Zoning Commission to order and explained the meeting procedures to the public. **Mr. Howe** then led the pledge of Allegiance.

ITEM #1 – PLEDGE OF ALLEGIANCE

ITEM #2 – REVIEW OF AGENDA BY COMMISSIONERS

Commissioner Smith pointed out a date mistake in the agenda's date. Commissioner Smith then motioned to approve the agenda as approved with the amendment of the date. Commissioner Murph seconded, motion carried 5 - 0

ITEM #3 – CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA

ITEM #4 – CONSIDERATION OF APPROVAL OF MINUTES FROM THE COMMISSION HEARING ON January 21, 2021.

Item tabled.

ITEM #5 – SUP 21-003 HOT AIR WIND MET TOWERS – MET TOWER #1, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN#** 110-07-001H, T16N, R20E, S15 of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Pattern Energy.

Mr. Cooper presented the item to the Commission, giving a brief overview of the surrounding areas and noting that the next few items would be identical.

The applicant has requested Special Use Permits to allow for the construction and operation of five (5), 60 meter (approximately 197 foot) meteorological towers. The applicant is requesting Special Use Permits to allow for the construction and operation of five (5) different, 60 meter (approximately 197 foot) meteorological towers. The location of the meteorological towers ranges from approximately 8.5 miles to 16.5 miles to the southwest of Holbrook. The applicant intends to use these towers to record meteorological conditions to research for a potential future electrical generation project.

As far as construction of the towers, the applicant has described them as, “constructed of a guyed steel monopole structure approximately 60 meters tall. Each structure would be installed within a cleared, approximately 0.03-acre pad, and would occupy approximately 2 acres when including the area encompassing the guywires. For maximum safety, the towers would be painted orange and aviation white and include balls on the guywires. To protect wildlife, bird flight diverters will be installed on all MET tower guywires at spaced intervals and towers are not located near wildlife attracting features (i.e. cliffs, canyons, water sources).”

The applicant is planning to phase their installation of towers over a 2-year period from approval of the Special Use Permits. In the applicant’s narrative, it has been noted that there is a request of a 5-year operation period for these towers.

The applicants will access these tower locations via State Route 377 and existing roadways that branch off to the locations.

None of the structures and equipment on the sites will be permanent and will be removed from the site once usage has terminated. The site will be required to be restored to the pre-disturbed/native state to the greatest extent possible upon completion of the usage of the meteorological tower.

The applicant has reached out to the Arizona Game and Fish Department regarding these projects and Staff has been included within these interactions. The conditions requested from Game and Fish have been included in Staff recommendations.

Terrence Cantorna, a representative, spoke to the Commission with appreciation for staff, and had a few concerns regarding the conditions regarding the fencing and blinking red lights, and after some discussion the applicant was satisfied with the intent of the requirements for the lights, as they were solely based on FAA standards.

Further discussion was had toward the fencing requirements, and it was determined that only the footings and foundations needed to be fenced off.

Last discussed was the length of the permit's application, there was some discussion toward the advantage of leaving them up from the applicant's perspective, but the Commissioners felt that it was too impactful, and could not support indefinite use.

With no further discussion from the public or Commission, **Chairman Howe** called for a motion. **Commissioner DeCross** made a motion to recommend Approval to the Board as presented but not to exceed a period of five years. **Commissioner Murph** seconded the motion. Motion carried, 5-0.

- Later on, in the meeting, The **Chairman** asked the Commission and staff about amending this motion to include the new language for the fencing, John Osgood sought legal counsel on the Commission's behalf. After discussing amending the motion, **Commissioner Decross** withdrew his Motion on Item 5, and Commissioner Murph withdrew his second.

Chairman Howe called for a new motion on Item 5. **Commissioner Murph** made a motion to recommend approval to the Board as presented but not to exceed a period of five years, with an amendment to clarify that the fencing only be around the footings of the guy wires and the foundation of the tower. **Commissioner McVicker** seconded the motion. Motion carried, 5-0.

ITEM #6 – SUP 21-004 HOT AIR WIND MET TOWERS – MET TOWER #2, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN# 110-06-002B, T16N, R19E, S22** of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Pattern Energy.

Mr. Cooper noted that the item was the same as the last one, just a different location.

With no comment or questions from staff, applicant, landowner, or public in favor or against, **Chairman Howe** called for a motion. **Commissioner DeCross** made a motion to recommend approval to the Board as presented but not to exceed a period of five years, with an amendment to clarify that the fencing only be around the footings of the guywires and the foundation of the tower. **Commissioner Murph** seconded the motion. Motion carried, 5-0.

ITEM #7 – SUP 21-005 HOT AIR WIND MET TOWERS – MET TOWER #3, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN# 110-01-001C, T15N, R19E, S15** of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Pattern Energy.

Mr. Cooper stated that this presentation was the same save for the location.

With no comment or questions from staff, applicant, landowner, or public in favor or against, **the Chairman** called for a motion. **Commissioner Murph** made a motion to recommend approval to the Board as presented but not to exceed a period of five years, with an amendment to clarify that the fencing only be around the footings of the guy wires

and the foundation of the tower. oval to the Board with amending the fencing to only fence the footings. **Commissioner DeCross** seconded the motion. Motion carried, 5-0.

ITEM #8 – SUP 21-006 HOT AIR WIND MET TOWERS – MET TOWER #3, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN#** 110-06-002A, T16N, R19E, S12 of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Pattern Energy.

Mr. Cooper stated that this presentation was the same save for the location.

With no comment or questions from staff, applicant, landowner, or public in favor or against, **the Chairman** called for a motion. **Commissioner Murph** made a motion to recommend approval to the Board as presented but not to exceed a period of five years, with an amendment to clarify that the fencing only be around the footings of the guy wires and the foundation of the tower. **Commissioner DeCross** seconded the motion. Motion carried, 5-0.

ITEM #9– SUP 21-007 HOT AIR WIND MET TOWERS – MET TOWER #3, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN#** 110-07-001F, T16N, R20E, S35 of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Pattern Energy.

The Chairman called for a motion. **Commissioner Murph** made a motion to recommend approval to the Board as presented but not to exceed a period of five years, with an amendment to clarify that the fencing only be around the footings of the guy wires and the foundation of the tower. **Commissioner DeCross** seconded the motion. Motion carried, 5-0.

ITEM #10 – SUP 21-008 SLEEPY MEADOW MOBILE PARK, DISTRICT IV: A request for a Special Use Permit to build a 28-space manufactured home park, including 5 spaces reserved as RV spaces. The property is 2.16 acres in size, located to the east of Porter Mountain Road, between Amanda Drive and Pederson Road in the Lakeside area. **APN #** 212-26-082E, T09N R22E S24. **Owner:** Vincent W. Davis. **Agent:** Painted Sky Engineering & Surveying, LLC.

Director Nejad presented the project to the Commission. The property is owned by Sleepy Meadow, LLC, located east of Porter Mountain Road, southwest corner of Amanda Drive, and west of Hi Joe Road. The parcel is 2.16 acres in size, zoned R-3 Multi-Family Residential and currently vacant. The area is surrounded mostly with residential and multi-family residential uses, including an existing Mobile Home Park on the North side of Amanda Drive. The site is flat and at grade with the surrounding properties and roads. The proposal is for a 28 space Mobile Home Park, 23 of them for mobile homes, and 5 spaces reserved for RV- Recreational Vehicles. The entire park will be constructed in two phases. The access to the homes is either directly from Hi Joe Road or by three driveways off Hi Joe, each being 20 feet wide. There will be multiple lot sizes, but they all meet the required setbacks within the boundaries of the parcel, as well as between the structures, and does provide parking area for each unit. The maximum lot coverage for the zoning is 33%. Each Manufactured Home space is a minimum of 3000 square feet or more per Article 14, R-3 zoning regulations. Section 1402 requires a minimum distance

between the Manufactured Homes to be 15 feet, and 17 feet of distance is provided in the plans. Each home has an eight (8) foot setback from the property line. Staff received three comments from neighbors with concerns about drainage, they are addressed in the engineering studies, and the applicant and the engineer are available for questions.

Applicant Vince Davis spoke to the commission with addition to the concerns, we are going to put rules and regulations will not allow sheds larger than 144 sq. feet, one per lot, no outdoor animals allowed, and no dangerous breeds will be allowed. Also, there is a short amount of chain-link fence along the dog park, but the entire perimeter is going to be wood and iron fence. The plan is to bring in brand new manufactured homes, no refurbished or remodeled or older homes. I know there's a lot of demand for clean affordable housing, and I feel this will fulfill the need, also the roads will be addressed in a later phase, we will engineer them to be able to support safety vehicles, and the planning will also have a turn-around included solely for the construction phase.

There was no one from the public to speak for or against the project.

Commissioner DeCross had visited the site for review, noting that the area was densely populated from the Peterson subdivision as well as a neighboring subdivision that specialized in lots for tiny homes, and asked if the fire department had any comment, to which Mrs. Nejad said that there wasn't any concern and read an e-mail she had received in reference to the application.

Bill Bess, County engineer, added that the applicant would be required to gravel a section of road, the county will not be able to maintain them because they do not meet HURF requirements, so these would be solely maintained and the responsibility of the developer. The applicant questioned how much of the road he was responsible for, and Mr. Bess identified which portion of the road should be maintained by which subdivision.

With no further discussion being had, the **Chairman** called for a motion. **Commissioner DeCross** made a motion to recommend Approval to the Board. **Commissioner McVicker** seconded the motion. Motion carried, 4-1.

**ITEM #11 – ZO-21-001 AMENDMENTS TO ARTICLE VI, SUBDIVISION REGULATIONS
ADDITION OF SECTION 6.17 – MODIFICATIONS TO FINAL PLATTED SUBDIVISION**

-Consideration of Subdivision Regulations text amendment, addition of Section 6.17 to Article VI. (TABLE to March 18, 2021 Meeting)

Commissioner Decross made a motion to Table the item, **Commissioner Murph** Seconded the motion. Motion carried, 5 - 0.

ITEM # 12– COMMISSIONER'S COMMENTS AND/OR DIRECTIONS TO STAFF:

Commissioners may use this time to offer additional comments regarding any item on this agenda or any other topic; and the Commission may direct Development Services Department staff to study or provide additional information on topics of the Commissions' choosing.

With there being no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 7:58 PM by **Chairman Howe**.

Approved this _____ day of _____, _____

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Planning & Zoning Department

DRAFT